TO: Permit Applicant and Interested Parties
FROM: Joe Marsh, Port Permit Coordinator
DATE: July 19, 2016
SUBJECT: PORT PERMIT COORDINATOR DECISION for Work in the Oakland Airport Business Park

I. Introduction

The Port of Oakland ("Port") Permits Section staff and Environmental Programs and Planning staff have reviewed the Port Development Permit Application ("Application") filed by United Parcel Service ("UPS" or "tenant"). Based on the information provided in UPS’ Application and in UPS’ supplemental responses, Port staff finds that the project proposal meets the applicable standards of the "Port of Oakland Land Use and Development Code ("LUDC") for the Oakland Airport Business Park ("OABP")". The findings and analysis are set forth below.

Port Permit No: 5106
Permit Applicant: Jeff Moats
Tenant: United Parcel Service (UPS)
Property Owner: Port of Oakland
Project Location: 8400 Pardee Drive, Oakland
Environ. Assessment: Categorical Exemption

II. Project Description

The project site is located in the southwestern portion of the City of Oakland ("City") in the vicinity of Oakland International Airport at the existing UPS sort facility, 8400 Pardee Drive, Oakland, CA. (See Attachment 1 - Project Site Location). At this ground operations facility, UPS sorts and repackages freight arriving from 18 wheel trucks onto similar trucks for distribution to other hubs in the region and on to smaller package vans for regional deliveries.

The project applicant proposes to make renovations at the site to improve efficiency and to update processing systems. (See Attachment 2 - Project Site Plan.) The purpose of the project is to modernize the building and equipment that were originally constructed in 1974. Replacement of the equipment will allow the system to handle packages in a more streamline, safer, reliable and more efficient manner during each processing sort. (See Attachment 8 Letter from Mr. Sal Mignano, Northern California District Project Team Leader/Operations Manager, to Ms. Diane Heinze, Environmental Assessment Supervisor; Date: June 20, 2016.)

General project improvements include: upgrades and modifications to the dock doors that will result in a reduction of 6 inbound doors and an addition of one outbound door; conveyor sorting equipment inside the building with modern automated sorting equipment to allow for automated tracking and other efficiencies; vehicle shop facility from the main building to a new building away from the sorting function where it will be combined with the relocated wash building. The efficiencies would resort from less workers sorting packages and would not increase capacity.
but enable the facility to maintain capacity. (See Attachment 10: E-mail from Mr. Daniel Connolly, Port Deputy Attorney IV, to Ms. Osa Wolff, Esq., re: UPS Letter; Date: June 22, 2016 and June 23, 2016.) Any increase in capacity would require an increase in the number of input doors, and in this project, the number of input doors would be reduced. (See Attachment 10.)

Specific improvements include:

1. Demolish existing car wash tunnel building (2585 SF);

2. Construct a new Auto Shop and Wash Tunnel Combination Building (12,267 SF, net 9,682 SF increase);

3. Install a temporary modular loading dock, to be operational during improvements to main building (Drainage Area K – See Attachment 3: Pavement Plan);

4. Improve the interior of main building:
   a) Upgrade equipment and conveyor systems (demolish 95% of existing conveyor equipment and install new equipment;
   b) Install new restroom facilities;
   c) Rearrange office spaces inside the existing envelope of the main building to accommodate the new equipment installation; no foundation changes are necessary for this equipment.

5. Widen the existing inbound/outbound doors on the perimeter of the building to improve access for equipment movement between the interior and the loading dock;

6. Install shear walls against the main building to accommodate the widening of the doors and to meet seismic requirements. These modifications will reduce inbound doors from 42 to 36, and increase outbound doors from 80 to 81 (net loss of 5 doors);

7. Repair, upgrade, or extend paving at various locations around the site (see Attachmen: 3 – Pavemen: Plan);

8. Install post-construction stormwater controls on site to meet Stormwater Permit requirements in accordance with the Port of Oakland’s “2015 Post-Construction Stormwater Design Manual” and Port Stormwater Ordinance No. 4311 (see Stormwater Compliance section below for details);

9. Modify employee parking area to reduce total spaces by 70. Install new fencing along the southern and eastern section. Add 20 additional spaces along the west edge adjacent to Pardee Drive. Move the east fence of the parking area on the west side of the existing trailer parking area to the west into the existing employee parking area in order to provide maneuverability around the new auto shop/wash tunnel and the existing fuel island;

10. Provide a new sidewalk along Pardee Drive;
11. Relocate lighting poles in the NE corner of lot due to new construction;

12. Relocate Personal Identification Verification equipment (PIV) and electrical for fuel island and trash compactors;

13. Install a new monument sign along the Pardee frontage in accordance with the LUDC standards.

III. Project Chronology

In January 2016, UPS contacted Port staff to discuss the project concept and CEQA requirements for the proposed improvements at its site. The following chronology summarizes the permitting process to date:

- June 6, 2016: UPS submits a complete permit application to the Port for improvements at its facility located at 8400 Pardee Drive, Oakland, CA (see Attachment 2).

- June 9, 2016: Port receives a letter from Citizens League for Airport Safety and Serenity (CLASS) requesting to review UPS’ "Pardee Facility Modifications". (See Attachment 6: Letter from Ms. Osa Wolff, Esq., and Ms. Carmen Borg, Urban Planner, to Ms. Diane Heinz, Environmental Assessment Supervisor, requesting re: United Parcel Service Parking Lease; Item 6.5 on the June 9, 2016 Board Meeting; Date: June 9, 2016.)

- June 15, 2016: Port staff met with CLASS to review UPS' permit application and conceptual drawings of the proposed improvements.

- June 17, 2016: Port staff receives a letter from CLASS with concerns that the "UPS' Pardee Facility Modifications" will "increase the facility's capacity to receive more trucks, which will in turn result in increased truck traffic". (See Attachment 7: Letter from Ms. Osa Wolff, Esq., and Ms. Carmen Borg, Urban Planner, to Ms. Diane Heinz, Environmental Assessment Supervisor, requesting re: United Parcel Service Parking Lease; Item 2.5 on the June 23, 2016 Board Meeting; Date: June 17, 2016.)

- June 20, 2016: Port staff receives a letter from UPS in response to CLASS' June 17, 2016 Letter. (See Attachment 8.)

- June 22, 2016: Port staff sent copies of the documents that CLASS reviewed on June 15, 2016 via electronic email. (See Attachment 9: E-mail from Mr. Eugene Park, Esq., to Ms. Osa Wolff, Esq., and Ms. Carmen Borg, Urban Planner, re: Port of Oakland Request re: UPS; Date: June 22, 2016.)

- June 22 and 25, 2016: Port staff e-mails CLASS information regarding UPS' modifications related to the proposed equipment upgrades at its facility. (See Attachment 10.)

- July 1, 2016: Port receives an e-mail from CLASS requesting additional information on the site improvements. (See Attachment 11: E-mail from Ms. Osa Wolff, Esq., to Mr. Daniel Connolly, Deputy Port Attorney IV, re: United Parcel Service Parking Lease; Date: July 1, 2016.)
• July 5, 2016: Port receives a letter from UPS in response to CLASS' July 1, 2016 e-mail. (See Attachment 12; Letter from Mr. Sal Miganano, North California District Project Team Leader/Operations Manager, to Ms. Diane Heinze, Environmental Assessment Supervisor; Date: July 5, 2016.)

IV. Land Use

A. Land Use Planning

The project area and project site fall under the jurisdiction of the Port of Oakland for land use permitting. The project site is located in an area designated as “Business Park Interior” LUDC (Section 2.1B). The project site is also within the area covered by the Coliseum Area Specific Plan, under the City of Oakland General Plan. The General Plan designation is “Business Mix”1. The land use designation for the site is “Warehousing, Storage, and Distribution”, which is an allowed use under the LUDC (Section 2.2) and the City of Oakland General Plan (Land Use and Transportation Element, Chapter 3) at this location.

B. Land Use Analysis

The project site is currently occupied by the tenant under a long-term ground lease. UFS operates a sort facility at this site where 18-wheel trailer trucks bring inbound cargo from various locations, mostly outside the region, that is sorted and loaded onto other trailer trucks for delivery to regional sort centers, or onto package delivery trucks for delivery to homes and businesses. UPS does not have tractor-trailer routes that are run north into Alameda; UPS only runs package cars for local deliveries. The facility receives some air containers from the Oakland Airport facility and returns some for air transport. According to UPS, the demand for air freight has held steady or gone down in recent years because of competition from companies with regional distribution centers who thus rely less on air freight carriers and more on truck carriers (see Attachment 10) so this component of the business is expected to see minimal (if any) growth. The project purpose is to improve efficiency on the project site by upgrading equipment, rearranging some of the functions on the site, repairing and upgrading paving, improving efficiency for truck movements, and expanding employee parking areas. This proposed project will not increase the overall capacity or the building but will increase the productivity or efficiency of the building (see Attachment 8).

Currently, there is a shortage of outbound doors, so trucks must sometimes be moved before they are full to accommodate other outbound trucks, then moved back to complete loading operations. The improved efficiency as well as the additional outbound doors will help to reduce truck movements during loading operations.

Most of the operations occur during evening and night hours, with outbound trucks leaving for other areas via I-880 and other freeways between 10 to 11 pm, or 3 to 4 am, and package trucks leaving between 9 and 10 am for local deliveries. No outbound trucks have routes through Alameda, except for package trucks making local deliveries during the day.

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1 City of Oakland General Plan, Land Use and Transportation Element, March 1998
C. Findings (from LUDC Section 5.5B)

Based upon the totality of information submitted by UPS, the Port finds as follows:

1. The proposed project is located at 8400 Pardee Drive, Oakland, CA, a location inside the OABP and subject to the LUDC;

2. The proposed project location is an existing sort facility that UPS leases from the Port;

3. The proposed project includes the specific improvements listed in Section II, items 1-13;

4. The proposed project will require less worker involvement with package sorting and increase efficiency;

5. The resulting efficiencies would enable the facility to maintain but not increase capacity since any increase in capacity would require an increase in the number of input doors (that was not happening with this project);

6. The proposed project will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons working, visiting, transiting through the Oakland Airport Business Park or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City;

7. The proposed project is consistent with the City of Oakland’s General Plan;

8. The proposed project complies with provisions of the LUDC;

9. The proposed project has been adequately evaluated under the California Environmental Quality Act ("CEQA", see below for further details);

10. The proposed project has been approved, or has a reasonable chance of being approved, by all outside agencies having jurisdiction over the project, including, but not limited to: the City of Oakland, Bay Conservation and Development Commission, Federal Aviation Administration, San Francisco Bay Regional Water Quality Control Board, Alameda County Airport Land Use Commission, Alameda County Public Health Department, and the California State Lands Commission;

11. The proposed project will neither interfere with the operations of Oakland International Airport nor enable the establishment of uses that may be incompatible with the potential imposition of noise, light, smoke, air currents, electronic or other emissions, vibrations, discomfort, and/or inconvenience resulting from airport operations at Oakland International Airport;

12. The Port has attached such conditions to issuance of the Development Permit as it deems reasonable or necessary to achieve the purposes of the LUDC, to reduce or to mitigate environmental impacts, and to address the project’s anticipated burden on the Business Park and the Port, and which conditions otherwise promote the health, safety, and welfare of the surrounding community; and

13. The project will include stormwater treatment measures to meet the requirements of the Port’s Stormwater Ordinance No. 4311.
V. Environmental Findings

The Port is the Lead Agency under CEQA, having land use jurisdiction over the Oakland Airport Business Park. The project boundaries are located in a developed area, and improvements will be made to an existing facility that will continue the previous use of sort and transfer of packages, maintenance of vehicles, and delivery of packages as described in the Land Use Analysis section. The project will construct a new car wash and auto shop building (12,267 square feet) to replace the existing car wash facility (2,585 square feet) and to relocate some maintenance functions out of the main sort building, resulting in a total increase in building area of less than 10,000 square feet of new building area (i.e., total increase in square footage: 9,682). These improvements will not increase the capacity of the Oakland Gateway Facility (located at OAK). (See Attachment 12.)

Improvements also include reducing the number of input loading doors from 42 to 36 and increasing the number of output loading doors from 85 to 86. The handling capacity of the facility is measured by the number of input doors which drives the process rate for the overall package processing system. Given the reduction of input doors, the proposed project will not increase the facility’s handling capacity and will not thus increase UPS air cargo activity at OAK.

Pursuant to CEQA Guidelines, Section 15300 (Categorical Exemptions), certain classes of projects, as listed in Article 19 (Categorical Exemptions) have been determined to not have a significant effect on the environment and declared to be categorically exempt from the requirement for the preparation of environmental documents. Under Rule 15301 (Existing Facilities), those projects that “consist of the operation, repair, maintenance…or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination,” are categorically exempt. According to Rule 15301, “the key consideration is whether the project involves negligible or no expansion of an existing use.” In reliance on the totality of information provided by UPS in this matter, the Port concludes that the proposed project involves negligible or no expansion of an existing use and is therefore categorically exempt pursuant to CEQA Guidelines, Section 15301. No further CEQA review is required.

A Notice of Exemption will be filed with the Alameda County Clerk after approval of the Development Permit.

VI. Stormwater Compliance

The Port of Oakland Stormwater Ordinance (No. 4311, effective April 1, 2015) requires treatment of stormwater run-off in accordance with the Port’s “2015 Post-Construction Stormwater Design Manual”. Paving over pervious surfaces, full depth pavement replacement and changing from one type of impervious surface to another (such as pavement to roof area or AC to concrete) may trigger stormwater requirements depending on the square footage and location (e.g., contiguous) of the improvement. The following areas are UPS’ improvement areas and their stormwater treatment status, in list and table form, from the Applicant’s Stormwater Memo on file.

- Area ‘A’ consists of 7,350 SF of full depth asphalt pavement over existing pervious landscape area. Since the area is new impervious area over existing pervious area (also out-of-kind) it triggers the need for stormwater treatment of this area.
• Area 'B' consists of 780 SF of "out of kind" full depth replacement from asphalt to concrete and triggers the need for stormwater treatment of this area.

• Area 'C' consists of 12,475 SF of "out of kind" full depth replacement from asphalt to concrete and triggers the need for stormwater treatment of this area.

• Area 'D' consists of 87,370 SF of full depth replacement. Of this area, 12,300 SF consists of "out of kind" impervious change from asphalt to building roof. The building roof is treated entirely by a new water quality planter (flow-through) that runs along the east side of the building. See below for a detailed description of this planter. This total area is greater than the 5,000 SF limit, and also includes "out of kind" replacement, therefore the entire Area 'D' triggers the need for stormwater treatment. This area includes approximately 1,400 SF of paving over existing pervious landscape, and is included in the treatment.

• Area 'E' consists of 2,960 SF of full depth in-kind asphalt replacement. Since this area is less than the 5,000 SF limit, it does not require stormwater quality treatment.

• Area 'F' consists of 1,290 SF of full depth in-kind asphalt pavement. Since this area is less than the 5,000 SF limit, it does not require stormwater quality treatment. However, this area does include 950 SF of paving over existing pervious landscape, and this new area is treated.

• Area 'G' consists of 1,940 SF of full depth in-kind asphalt pavement. Since this area is less than the 5,000 SF limit, it does not require stormwater quality treatment. However, this area does include 1,400 SF of paving over existing pervious landscape, and this new area is treated.

• Area 'H' consists of 1,050 SF of full depth in-kind asphalt pavement. Since this area is less than the 5,000 SF limit, it does not require stormwater quality treatment. However, this area does include 850 SF of paving over existing pervious landscape, and this new area is treated.

• Area 'I' consists of 650 SF of full depth in-kind asphalt pavement. There are four of these areas. Since these areas are each less than the 5,000 SF limit, it does not require stormwater quality treatment.

• Area 'J' consists of 350 SF of full depth in-kind asphalt pavement. There are four of these areas. Since these areas are each less than the 5,000 SF limit, it does not require stormwater quality treatment.

• Area 'K' consists of 8,910 SF for a temporary structure. Although this is not full depth replacement, it is considered "out of kind" and triggers the need for stormwater treatment of this area.

### Table 1: Required Water Quality Treatment

<table>
<thead>
<tr>
<th>Basin</th>
<th>Area</th>
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<tbody>
<tr>
<td>A</td>
<td>7,350 SF (out of kind replacement)</td>
</tr>
<tr>
<td>B</td>
<td>780 SF (out of kind replacement)</td>
</tr>
<tr>
<td>C</td>
<td>12,475 SF (greater than 5000 SF)</td>
</tr>
<tr>
<td></td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------</td>
</tr>
<tr>
<td>D</td>
<td>87,370 SF (greater than 5000 SF)</td>
</tr>
<tr>
<td>E</td>
<td>2,960 SF (No treatment req’d)</td>
</tr>
<tr>
<td>F</td>
<td>1,290 (No treatment req’d) (950 pervious to new pavement is treated)</td>
</tr>
<tr>
<td>G</td>
<td>1940 (No treatment req’d) (1,400 pervious to new pavement is treated)</td>
</tr>
<tr>
<td>H</td>
<td>1,050 (No treatment req’d) (850 pervious to new pavement is treated)</td>
</tr>
<tr>
<td>I</td>
<td>650 SF / EA (TYP. X 4) (No treatment req’d)</td>
</tr>
<tr>
<td>J</td>
<td>350 SF / EA (TYP. X 4) (No treatment req’d)</td>
</tr>
<tr>
<td>K</td>
<td>8,910 SF (temporary out-of-kind replacement from AC to roof)</td>
</tr>
<tr>
<td>TOTAL TREATMENT REQUIRED</td>
<td>BASINS A+B+C+D+K+Portion of F, G, H = 120,085 SF</td>
</tr>
<tr>
<td>CREDIT</td>
<td>16,988 SF</td>
</tr>
<tr>
<td>TOTAL REQUIRED</td>
<td>103,097 SF</td>
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</table>

WATER QUALITY FACILITIES (See Attachment 5- Table 2: Water Quality Facilities)

<table>
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<th>FACILITY</th>
<th>TOTAL AREA</th>
<th>TREATED AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>WQ CB #1</td>
<td>37,150 SF</td>
<td>22,650 SF (2 cartridges)</td>
</tr>
<tr>
<td>WQ CB #2</td>
<td>35,000 SF</td>
<td>22,650 SF (2 cartridges)</td>
</tr>
<tr>
<td>WQ CB #3</td>
<td>23,720 SF</td>
<td>22,650 SF (2 cartridges)</td>
</tr>
<tr>
<td>WQ CB #4</td>
<td>13,700 SF</td>
<td>13,700 SF (2 cartridges)</td>
</tr>
<tr>
<td>WQ CB #5</td>
<td>37,500 SF</td>
<td>22,650 SF (2 cartridges)</td>
</tr>
<tr>
<td>WQ Planter</td>
<td>12,300 SF (building roof)</td>
<td>12,300 SF (building roof)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>159,370 SF</td>
<td>116,600 SF</td>
</tr>
</tbody>
</table>
The Applicant will create five permanent stormwater treatment facilities and one temporary facility to treat the identified run-off. Baysaver Streamfilter water quality filter catch basins will be installed in the five areas identified on the plan (Attachment 4 – Drainage Area Plan). Each is a two cartridge-type able to treat 45 GPM (gallons per minute) of run-off. Run-off from the roof of the temporary sort facility will be filtered through a planter box, and will be removed when the temporary building is removed after construction. The existing tree canopy will be maintained as much as possible, and about 20 new trees will be planted.
VII. Permit Conditions

The Port hereby imposes the following permit conditions:

1. All conditions of approval shall be printed on the final permit set of plans.

2. The project shall conform to Port-stamped approved plans, including the conditions of approval, unless otherwise approved by the Port. The applicant is responsible for including all details agreed upon, or conditions made by the Port, during the approval process. Failure to include any such details will not exempt the applicant from the Port for any changes prior to construction.

3. The use shall be fully described on the plans and is deemed approved by the Port approval stamp. Any modifications or clarifications will be included in the Specific Conditions. Any changes from the approved plans must be approved in writing by the Port.

4. The applicant shall make improvements for sidewalk(s), as required and described in the approved description of work. Such improvements shall be included in the approved plans.

5. The applicant shall meet all conditions and requirements of all outside agencies having jurisdiction over the project, including but not limited to: the City of Oakland, San Francisco Bay Conservation and Development Commission (BCDC), Federal Aviation Administrator, San Francisco Bay Regional Water Quality Control Board, Alameda County Airport Land Use Commission, Alameda County Public Health Department, and the California State Lands Commission. The applicant shall report any conflicts with Port requirements to the Port prior to construction. Any such conflicts must be resolved by the applicant to the satisfaction of the Port and the outside agency involved.

6. The applicant shall provide copies of authorizations or permits from agencies noted above, including, but not limited to, the Notice of Intent to comply with the Construction General Permit for Stormwater and the associated Waste Discharger Identification number provided by the State Water Resources Control Board.

7. The Project Applicant shall obtain, at the Project Applicant's expense, all City of Oakland building permits required for the Project.

8. The Project Applicant and the Project Applicant’s contractor shall construct the Project according to the plans approved under Port and City permits. Modifications made to comply with City of Oakland permit requirements shall be subject to verification of compliance with Port permit conditions prior to the start of construction.

9. The Project Applicant shall maintain the Project site in a clean and orderly condition during the entire term of the Development Permit. If there is a work stoppage at any time after construction has commenced for a period of more than 30 days, the Project Applicant shall secure any completed or uncompleted work and remove or screen any stored materials. The Chief Engineer of the Port may provide a 30-day notice and order to the Project Applicant to comply with this condition. If the Project Applicant fails to comply during that time period, or fails to present and implement an acceptable plan for compliance, the Port maintains the right at Port's discretion, to complete the necessary work and bill the Project Applicant for all related costs, or impose reasonable fines for violation of this condition of approval and/or the Port Chief Engineer’s order. Any such fine shall be reasonably related to the nature of the violation and/or the cost to correct.
10. To the maximum extent permitted by law, the Project Applicant shall defend, hold harmless, and indemnify the Port and its respective officers, agents and employees (whether the action is on behalf of the Port, or otherwise) (the "Indemnified Parties") against any and all liability, damages, claims, demands, judgments or other losses (including, without limitation, attorneys fees, expert witness and consultant fees and other litigation expenses), referendum or initiative relating to, resulting from or caused by, or alleged to have resulted from, or caused by, any action or approval associated with the Project. This indemnity includes, without limitation, any legal or administrative challenge, referendum or initiative filed or prosecuted to overturn, set aside, stay or otherwise rescind any or all approvals granted in connection with the Project, any environmental determination made for the Project, and granting any permit issued in accordance with the Project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs as used herein shall include, without limitation, any attorney’s fees, expert witness and consultant fees, court costs and other litigation fees, Port Attorney time and overhead costs, and other Port Staff overhead costs and normal day-to-day business expenses incurred by the Port ("Litigation Expenses"). The Indemnified Parties shall have the right to select counsel to represent the Indemnified Parties, at the Project Applicant’s expense, in the defense of any action specified in this condition of approval. The Indemnified Parties shall take all reasonable steps to promptly notify the Project Applicant of any claim, demand, or legal actions that may create a claim for indemnification under these conditions of approval.

11. The Applicant shall implement the proposed post construction stormwater controls, and label storm drain inlets with an environmental message, in conformance with stormwater quality requirements and solutions as described in this report and Attachment 5 – UPS Stormwater Memo.

12. The Applicant shall provide as-built drawings to the Port upon completion of the project.

13. The Applicant shall agree to comply with any other conditions added by the Port Permit Coordinator as well as any other conditions listed in the LUDC not otherwise listed here.
DETERMINATION: I concur with the CEQA Determination in this Report.

Richard Sinkoff, Director of
Environmental Programs and Planning
Port of Oakland

Date: 7-18-2016

DECISION:

Port Permit Coordinator: □ Approve □ Deny

Joe Marsh, Port Permit Coordinator
Environmental Programs and Planning
Port of Oakland

Date: 7/19/2016

Attachments:
Attachment 1 – Project Site Location (Google Map)
Attachment 2 – Permit Application with Site Plan (UPS, 6/6/2016)
Attachment 3 – Pavement Plan (UPS Stormwater Memo, 6/24/16)
Attachment 4 – Drainage Area Plan (UPS Stormwater Memo, 6/24/16)

The following Attachments 5-11 are included as separate files, posted at:

Attachment 5 – UPS Stormwater Memo, 6/24/16
Attachment 6 – Letter from Ms. Osa Wolff, Esq., and Ms. Carmen Borg, Urban Planner, to Ms. Diane Heinze, Environmental Assessment Supervisor, requesting re: United Parcel Service Parking Lease; Item 6.5 on the June 9, 2016 Board Meeting; Date: June 9, 2016
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Attachment 1: Project Site Location

Source: Port Permit Coordinator Decision – Port Permit# 5106: UPS; Date: June 10, 2016

Background: Google Earth Pro, 2016
Attachment 2

Port of Oakland Development Permit Application

Project Address: 8400 Pardee Drive  APN: 42-4420-6-3

Applicant: United Parcel Service

Contact: Telephone / E-mail: Jeff Moats / (503) 978-3973 jmoats@ups.com

Project Sponsor (Property Owner): Port of Oakland

Contact: Telephone / E-mail: Jeff Moats / (503) 978-3973 jmoats@ups.com

Tenant Name: United Parcel Service, (UPS)  X_Applicant  _Owner

Describe Use: UPS Customer Center, package distribution center

Type of Project (check all that apply): _X_New Construction  ___Remodel  ___Demolition

___Exterior  ___Interior  ___Site Utilities  ___HazMat

Size of Property (sf): Site: 1,088,800  Existing Improvements: Project:

Proposed Improvements (sf): 32,184  3,014,456.00  Parking: existing proposed

Project Description: Property improvements including minor pavement replacement, relocation of fire hydrants, relocation of light poles, 10’ pavement widening, construction of new auto shop and car wash facilities in northwest portion of property and demolition of current car wash building. Valuation: $5,014,456.00

Submittals / Approvals (X indicates required):

_ X_Drawings/Project Description
Applications must include drawings and a written description of the proposed work.

___ Airport (OAK) Projects-
Applications for work at OAK must include the completed form attached.

___ Property Owner Verification
Applicant must submit a “Letter of Agency” signed by the property owner if requested, except for Port of Oakland property, to verify authorization to represent the property owner.

N/AX_ Initial Study Checklist for California Environmental Quality Act (CEQA) Compliance
A CEQA determination by Port staff is required for each permit application. If Categorically Exempt (CatEx), no further analysis is required. If not CatEx, an Initial Study Checklist must be prepared, at the applicant’s expense, to evaluate potential impacts and to determine the level of CEQA review.

___ General Plan Conformity Determination
A conformity determination may be required if the project proposes a new use. Port staff will perform the required analysis.

___ Height Review - FAA 7460
Height limits in the vicinity of the Oakland International Airport (OAK) are based on FAA flight clearances. The applicant will be required to file a Form 7460 if the proposal includes increased structure height. Port approval will be subject to the findings of the FAA.

___ Exterior Lighting Review
New or replacement exterior lighting must comply with the Port’s Exterior Lighting Policy. Lighting details must be submitted to demonstrate compliance.

_ X_Storm Water Permit
Projects that include a change in area of impervious surfaces and/or modifications to the site drainage systems may be required to comply with the Port's Municipal Storm Water Permit.

___ Maritime and Aviation Project Labor Agreement (MAPLA)
Projects by Port Maritime and Aviation tenants must comply with MAPLA if they exceed the cost threshold of $150,000. Sign and submit the attached acknowledgement letter if cost exceeds threshold.

___ Utilities
The Port is the utility provider for some of the property under its land use jurisdiction. Such properties will be subject to additional review relating to utility use and equipment.

_ X_Fees
Fees will be determined upon evaluation of the Application based on the Engineering Master Fee Schedule.
Port of Oakland Development Permit Application (p2)  Permit No:_________

Agreement:

By the signature below, the Applicant agrees to comply with the standard conditions listed on this page, and specific conditions delineated at the time of approval. The Applicant certifies that s/he has permission from the property owner to carry out the work described herein. If the Applicant is not the Contractor, the Applicant hereby certifies that the Contractor will be directed to meet all the conditions of this permit approval. Applicant certifies that the property owner authorizes Applicant on his/her behalf to submit and further agrees to be bound by the material representations herein. These representations are made to induce the Port to approve this application and the Port approval of this application is made in reliance on the foregoing representations.

Standard Conditions of Approval:

1. All conditions of approval shall be printed on the final permit set of plans.

2. The project shall conform to the Port-stamped approved plans, including the conditions of approval, unless otherwise approved by the Port. The applicant is responsible for including all details agreed upon, or conditions made by the Port, during the approval process. Failure to include any such details will not exempt the applicant from including them at a later time. The applicant is responsible for obtaining approval from the Port for any changes prior to construction.

3. The use shall be fully described on the plans and is deemed approved by the Port approval stamp. Any modifications or clarifications will be included in the Specific Conditions. Any changes from the approved plans must be approved in writing by the Port.

4. The Applicant shall comply with the policies and standards for the Land Use and Development Code (LUDC) for the Oakland Airport Business Park (Business Park only).

5. The Applicant shall confirm that an aviation easement in favor of Oakland International Airport in a form approved by the Port Attorney has been recorded on the subject property. If not, the applicant shall grant and record an aviation easement. (Business Park only.)

6. The Applicant shall make improvements for sidewalk(s) as required. Such improvements shall be included in the approved plans, unless otherwise specified in the Specific Conditions. (Business Park only.)

7. The Applicant shall meet all conditions and requirements of all outside agencies having jurisdiction over the project, including but not limited to: the City of Oakland, Federal Aviation Administration, Regional Water Quality Control Board, Airport Land Use Commission, Alameda County Health Department, and State Lands Commission. The applicant shall report any conflicts with Port requirements to the Port prior to construction. Any such conflicts must be resolved by the applicant to the satisfaction of the Port and the outside agency involved.

8. The Applicant shall comply with the requirements of all environmental documents prepared under the California Environmental Quality Act applicable to the subject project including mitigation and monitoring requirements approved for the Development Permit.

9. The Applicant shall comply with the current version of the Port of Oakland Exterior Lighting Policy.

10. The Applicant shall comply with applicable storm water quality requirements including Low Impact Development site design.

11. The Applicant shall provide as-built drawings at the conclusion of any project on Port-owned property.

12. The applicant shall defend, indemnify, and hold harmless the Port and its agents, officers, and employees from any claim, action or proceeding against the Port or its agents, officers or employees to attack, set aside, void, annul, or invalidate any Port approval concerning the subject project provided that the Port has promptly notified the Applicant of any such claim, action or proceeding and cooperates in the defense. Counsel retained in such defense shall be subject to the mutual approval of the Applicant and the Port. The Applicant shall reimburse the Port for its reasonable attorney and consultant fees incurred in such defense including amounts attributable to the Port Attorney’s legal services.

Applicant Signature: ___________________________ Date: ____________

Port Approval:
The signature below certifies that the Port of Oakland has approved the project, and the applicant is free to start work. This page serves as the applicant’s approved permit.

Approved: __________________________________ Date: __________________  □ Additional Conditions Attached
Port of Oakland Development Permit Application - Instructions

Permit #: Port will assign.

Information Box, Top of Page 1:

- **Project Address**: Location of the proposed work by street address, the Alameda County Assessor’s Parcel Number (APN) should be included and will be required for City of Oakland Building Permit.
- **Applicant**: Name and contact information for the person who will be the primary contact during the approval process.
- **Project Sponsor (Property Owner)**: Name and contact information for the person who owns the property (or representative of the business entity that owns the property.) If a representative, include the official owner name (i.e. Joe Marsh for “Port of Oakland”)
- **Tenant Name**: Provide the name of the business or person that will occupy the space, if known. Check if they are the owner or the applicant (may be neither).
- **Describe Use**: Provide a brief but concise description of the activities intended by the tenant.
- **Type of Project (check all that apply)**: Check one of “New Construction” or “Remodel”. “Demolition” is the removal of more than 50% of the floor area of the existing building. Indicate if work will be inside and/or outside the building. “Site Utilities” are facilities and connections outside the building envelope. HazMat are any hazardous materials that are being removed or otherwise mitigated inside or outside the building, including asbestos or lead paint removal, contaminated soil handling, etc.
- **Size of Property (sf)**: List the size of the lot, the existing building(s), and the construction area in square feet.
- **Project Description**: Provide a brief description of the construction and modifications proposed for the site and buildings. A more complete description should be filed with the application.
- **Valuation**: This should be an estimate to the nearest $1000 of the materials and labor for construction work proposed for the permit. This is only used by the Port to gauge the size and scope of the work, the fee is not based on this number.

Submittals/Approvals, Bottom of Page 1:

- Port staff will complete this section after evaluating the permit application and return a copy to the applicant. This could be done during an initial meeting with the applicant, by appointment, or the applicant can submit the application by mail, e-mail, or drop-off in person. The Port can usually do an initial evaluation within 48 hours of submittal.
- Supplemental materials to describe the project and a permit fee are always required for the application. The Port Development Permit is a land use approval that takes the place of a City of Oakland Zoning permit in the Port Area. For this approval, the applicant must include materials that describe all parts of the project, including details specific to the proposed use and any exterior modifications. The applicant must show how the project may affect neighboring uses and views from the public ways. Traditional drawing sets are preferred though not required. It is understood that the Port approval is discretionary, and that the applicant may not want to spend the time and resources to fully detail the project as will be required for the City of Oakland building permit (a ministerial action.) The Port will review and approve any drawings for City building permits prior to their submittal for compliance with the Port’s development permit.
- Other Submittals/Approvals listed include a description. Further assistance, including additional materials, will be provided for these if required.

Agreement, Top of Page 2:

- The applicant agrees to follow the conditions of the permit and convey those conditions to the property owner and contractor, who will also be bound by the permit conditions.

Standard Conditions of Approval, Middle of Page 2:

- These are standard conditions that apply to all projects, except where noted otherwise.

Applicant Signature, Bottom of Page 2:

- The applicant must sign the application, and by doing so agrees to the conditions set forth herein.

Port Approval, Bottom of Page 2:

- The Port will sign the application once approved to provide a record for the applicant. Drawings and other documents submitted for permits with other agencies must be stamped and signed separately.
NEW / REPLACED IMPERVIOUS AREAS

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<tr>
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TOTAL 120,085 SF (2.76 AC)

PROJECT DISTURBED AREAS BEING EVALUATED

CREDITS

TREE CREDIT 16,988 SF

TOTAL REQUIRED AREA 120,085 SF
CREDIT 16,988 SF
TOTAL REQUIRED 103,097 SF (2.37 AC)

Attachment 3 - Pavement Plan
WATER QUALITY TREATED BASINS

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WATER QUALITY TREATED BASINS

Basin 1: WQ CATCH BASIN
Basin 2: WQ CATCH BASIN
Basin 3: WQ CATCH BASIN
Basin 4: WQ CATCH BASIN
Basin 5: WQ CATCH BASIN
Basin 6: STORMWATER PLANTER (530 SF)

Attachment 4 - Drainage Area Plan